



PATENT  
Customer No. 22,852  
Attorney Docket No. 06530.0306

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
 )  
John A. GRIEGO ) Group Art Unit: 3773  
 )  
Application No.: 10/682,197 ) Examiner: Bui, V. Q.  
 )  
Filed: October 10, 2003 )  
 )  
For: DEVICE WITH DEFLECTABLE ) Confirmation No.: 1259  
DISTAL END AND RELATED )  
METHODS OF USE )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO RESTRICTION REQUIREMENT**

In an Office Action mailed on April 4, 2008, the Examiner required restriction under 35 U.S.C. § 121 between the following allegedly patentably distinct claim groups:

Group I - Claims 1-45, characterized by the Examiner as drawn to a device; and

Group II - Claims 46-78, characterized by the Examiner as drawn to a method.

Applicant does not necessarily agree with the various characterizations and assertions regarding either Applicant's claims or the allegedly patentably distinct claim groups set forth in the Office Action. Nonetheless, in order to expedite the prosecution of this application, Applicant elects to prosecute the Group I claims (1-45) identified


above. Accordingly, Applicant respectfully requests the examination of at least claims 1-45.

Please grant any extensions of time required to enter this Response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: June 2, 2008

By:   
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